

## FACSIMILE COVER SHEET

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**TO:** Examiner Curtis Sherrer**FROM:** Frank C. Eisenschenk, Ph.D.**COMPANY:** U.S. Patent Office, Art Unit 1761**DATE:** June 18, 2003**FAX NO.:** 1-703-305-3602**NO. OF PAGES:**  
**(INCLUDING COVER SHEET)** 5**SUBJECT/MESSAGE:**

Re: U.S. Patent Application Docket No. GIR-T104  
Serial No. 09/781,586; filed February 9, 2001

Attachment: Election Under 35 U.S.C. §121 and Supplemental Preliminary Amendment  
(4 pages)

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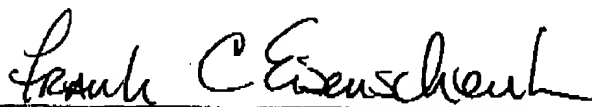
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Frank C. Eisenschenk, Ph.D., Patent Attorney

ELECTION UNDER 35 U.S.C. §121 AND  
SUPPLEMENTAL PRELIMINARY  
AMENDMENT

Examining Group 1761  
Patent Application  
Docket No. GIR-T104  
Serial No. 09/781,586

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Curtis E. Sherrer  
Art Unit : 1761  
Applicant : Leonard S. Girsh  
Serial No. : 09/781,586  
Filed : February 9, 2001  
Conf. No. : 1293  
For : Process for Preparing Hypoallergenic and Reduced Fat Foods

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

ELECTION UNDER 35 U.S.C. §121 AND  
SUPPLEMENTAL PRELIMINARY AMENDMENT

Sir:

In response to the written Restriction Requirement dated June 13, 2003 in the above-identified patent application, Applicant hereby elects, for purposes of examination in the subject application, the species drawn to the use of critical fluid or liquid to reduce the allergenicity of food. Applicant further submits that pending claims 67-81 are readable upon the claimed invention to reduce the allergenicity of food. This election is made without traverse.

Applicant acknowledges the Examiner's indication that upon allowance of a generic claim, Applicant will be entitled to consideration of claims to the additional species that depend from an allowed generic claim. Applicant acknowledges the Examiner's indication that no claim is generic.

Applicant gratefully acknowledges the Examiner's restarting of the time period of response to the Restriction Requirement.

Please amend the subject application as follows:

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